

# **EXHIBIT 5**

*Jonny 9/20/05*

1 the county would get?

2 A Right. He didn't know it at the time, but  
3 he didn't need any assistance. The commission had  
4 already figured him out and was ready for it to sell  
5 to somebody else and he didn't need my help. I knew  
6 it, but he didn't.

7 Q I see. So what you're saying is he made  
8 this offer to you and you agreed to do it, and your  
9 view of it is that it would have happened anyway?

10 A Knowing that I was not going to have to  
11 exert any influence and never did.

12 Q I see.

13 A But taking the money was just as illegal as  
14 if I had done that.

15 Q And you've admitted your responsibility and  
16 culpability for that?

17 A Yes, sir.

18 Q You're paying the price for that now?

19 A Yes, sir.

20 Q Okay. So you said initially he offered  
21 stock, then later came back and said -- what did he  
22 say when he later came back?

23 A He just said that he couldn't do the stock  
24 thing, that he would just have to do it in an  
25 equivalent amount of cash.